

FILED

SEP 28 2010

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: BEXTRA AND CELEBREX
MARKETING SALES PRACTICES AND
PRODUCT LIABILITY LITIGATION

Case No. : 07-0473 CRB

MDL NO. 1699

District Judge: Charles R. Breyer

Russell D. Batten, Individually and as Personal
Representative of the Estate of Kathleen Batten,
Deceased, et al.,

Plaintiffs

vs.

Pfizer Inc, et al.,

Defendants.

**STIPULATION AND ORDER OF
DISMISSAL WITH PREJUDICE**

Come now the Plaintiffs Russell D. Batten, Individually and as Personal Representative of the Estate of Kathleen Batten, Deceased; Imogene Blair and Palmer David Blair, her Husband; Ramey Blair and Anita Blair, his Wife; Jessie Brewster and Opal W. Brewster, his Wife; Eva Brumfield and Charles E. Brumfield, her Husband; Vernon A. Call and Divinia Call, his Wife; Curtis Chambers; Richard Cooper and Linda Cooper, his Wife; David Dalton and Dollie Dalton, his Wife; Denward F. Estep and Linda J. Estep, his Wife; Bernie L. Ferrell and Kathy Ferrell, his Wife; Janice Fore and Bill Fore, her Husband; Vernice Fraley, Jr. and Deborah Fraley, his Wife;

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STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE

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1 R. Joyce Gilmore and James Gilmore, her Husband; Mike Guthrie and Carla J. Guthrie, his
 2 Wife; Johnny Johnson and Wilma Johnson, his Wife; Roy L. Ketterman and Kathy Christine
 3 Ketterman, his Wife; James C. Lester and Licia Lester, his Wife; Roscoe D. May and Mary
 4 Magdalene May, his Wife; Franklin D. Meadows and Linda Gaye Meadows, his Wife; Calvin C.
 5 Moss and Cathy Dawn Moss, his Wife; Doliver W. Queen and Linda J. Queen, his Wife; Charles
 6 E. Reich and Dae Anne Reich, his Wife; Sherman Patrick Riggs and Norma Fay Riggs, his Wife;
 7 Edward L. Shipley and Nancy Shipley, his Wife; James Paul Simpson and Rosie Simpson, his
 8 Wife; Ernest Skinner, Individually and as Personal Representative of the Estate of Carolyn
 9 Skinner, Deceased; Lewis J. Spence, Jr. and Violet Spence, his Wife; Emmons Stepp,
 10 Individually and as Personal Representative of the Estate of Eleanor Stepp, Deceased; George P.
 11 Torres and Barbara Torres, his Wife; Carrol A. Tramel; Nancy J. Wheatley; and Randall L.
 12 Windon and Doris Windon, his Wife, in the above-entitled action and Defendants, by and
 13 through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and
 14 hereby stipulate to the dismissal of this action with prejudice as to the plaintiffs named herein
 15 only with each side bearing its own attorneys' fees and costs.

16
 17 DATED: 11/24, 2009

By:

Charles W. L.

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Attorneys for Plaintiffs

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 23 DATED: Sept. 7, 2010, 2009

By:

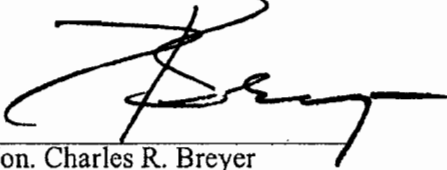
Matthew A. [Signature]

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 25 DLA PIPER LLP (US)
 1251 Avenue of the Americas
 New York, New York 10020
 Telephone: 212-335-4500
 Facsimile: 212-335-4501

Defendants' Liaison Counsel

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3 PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,
4 IT IS SO ORDERED.

5 Dated: 9.28.2010

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7 Hon. Charles R. Breyer
8 United States District Court
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